

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PETER J. HONESTO,	)	No. C 11-01600 JF (PR)
Petitioner,	)	ORDER TERMINATING MOTION
vs.	)	
JAMES HARTLEY, Warden,	)	
Respondent.	)	
_____	)	(Docket No. 7)

On May 19, 2011, the Court dismissed the instant petition as a second and successive petition pursuant to 28 U.S.C. § 2244(b)(1), and entered judgment. On June 2, 2011, Petitioner filed a motion for certificate of appealability addressed to the Ninth Circuit Court of Appeals. (Docket No. 7.) The motion is therefore DENIED. Petitioner is advised that he must file such motions directly with the Ninth Circuit Court of Appeals, if he has not already done so.

This order terminates Docket No. 7.

IT IS SO ORDERED.

DATED: 6/8/11

  
JEREMY FOGEL  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

PETER HONESTO,

Petitioner,

v.

JAMES HARTLEY, Warden,

Respondent.

Case Number: CV11-01600 JF

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 6/24/11, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Peter J. Honesto D-55459  
CA State Prison-Avenal  
P.O. Box 9  
Avenal, CA 93204

Dated: 6/24/11

Richard W. Wieking, Clerk